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**Patent and Trademark Office**

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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
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09/282,692 03/31/99 LITA

C AT9-98-700

EXAMINER

TM02/0813

LAW OFFICES OF JOSEPH R. BURWELL  
P.O. BOX 28022  
AUSTIN TX 78755-8022

DUONG, D

ART UNIT

PAPER NUMBER

2155

DATE MAILED:

08/13/01

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

**Office Action Summary**

Application No.

09/282,692

Applicant(s)

LITA, CHRISTIAN

Examiner

Oanh L. Duong

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2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on 31 March 1999.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2 . . . 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Drawings Objection*

1. This application has been filed with informal drawings, which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4, 6-10, 12-16, 18, 19 and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh et al. (Bayed) (USPN 6,098,093) in view of Wallis (EP 0,648,038):

Regarding claim 1, Bayeh teaches a method for managing connection requests a pool of servers identified by a given URL (see col. 4, lines 51-57) comprising the steps of in response to a connection request from a given client machine that initiates a session, associating a session identifier with a given server in the pool (see col. 3, lines 5-53); using the session identifier to redirect the connection request to the given server (see col. 3, lines 20-35).

Bayeh does not teach redirecting to the given server an additional request as claimed. However, Wallis teaches during the session, redirecting to the given server an additional connection requests from the given client machine (see abstract, col. 2 lines

23-29). Therefore, it would have been obvious to have used the per-session load balancing technique in Bayeh as taught by Wallis because it would enable the affiliation between the client and the server to last for the duration of the session and client only log-ins once to complete all of the transactions required.

Regarding claims 9, 15, 21 and 22, Bayeh discloses a method for managing connection requests to a pool of servers, comprising the steps of responsive to connection requests from client machines that initiate user sessions, associating each user session originating from a client machine with a given server in the pool in accordance with a load balancing (see col. 3 lines 5-53 and col. 4 lines 51-57). Bayeh does not teach redirecting to the given server an additional request as claimed. However, Wallis teaches during the user session, redirecting to the given server an additional connection requests from the given client machine (see abstract, col. 2 lines 23-29). Therefore, it would have been obvious to have used the per-session load balancing technique in Bayeh as taught by Wallis because it would enable the affiliation between the client and the server to last for the duration of the session and client only log-ins once to complete all of the transactions required.

Regarding claim 18, Bayeh discloses means responsive to connection requests from client machines that initiate user sessions for associating each user session originating from a client machine with a given server in the pool in accordance with the load balancing routine (see col. 3 lines 5-53 and col. 4 lines 51-57). Wallis teaches a processor (see col. 8, lines 5-12); an operating system (see col. 8, lines 18-38); load balancing routine (see cols. 8-9 lines 51-37); and means operative

during each user session for redirecting to the given server any additional connection requests originating from the client machine (see abstract, col. 2 lines 23-29).

Therefore, it would have been obvious to have used the per-session load balancing technique in Bayeh as taught by Wallis because it would enable the affiliation between the client and the server to last for the duration of the session and client only log-ins once to complete all of the transactions required.

Regarding claim 2, Bayeh discloses the step of using the session identifier includes generating a virtual URL (see col. 3, lines 39-42).

Regarding claim 3, Bayeh discloses the virtual URL comprises a URL in the connection request modified to include the session identifier (see col. 3, lines 39-53).

Regarding claims 4 and 12, Bayeh discloses the session identifier is incorporated in data returned from the given server to the client machine (see col. 3, lines 46-53).

Regarding claims 6 and 14, Bayeh teaches the given client machine includes a browser (see col. 13, lines 7-17).

Regarding claims 7 and 13, the Bayeh discloses wherein each of the servers in the pool supports a similar set-of objects (see col. 4, lines 51-57).

Regarding claim 8, Bayeh teaches the session identifier is associated with a given file server as a function of a load balancing protocol (see cols. 9-10 lines 63-10).

Regarding claims 10, 16 and 19 Bayeh discloses generating a virtual URL by modifying a given URL to include a session identifier (see col. 3, lines 39-42); using the

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virtual URL to redirect the connection request to the given server (see col. 3 lines 42-53).

3. Claims 5, 11, 17 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayeh et al (Bayed) (USPN 6,098,093) in view of Wallis (EP 0,648,038) in further view of Brodd et al. (Brodd) (USPN 5,303,238).

Regarding claims 5, 11, 17, 20, the combination of teachings of Bayeh and Wallis does not teach inactivating the session identifier as claimed. However, Brodd teaches in response to a connection request from the given client machine that terminates the session, inactivating the session identifier (see col. 12 lines 23-26). Therefore, it would have been obvious to have used the inactivating method in the combination of teachings of Bayeh and Wallis as taught by Brodd because it would make the server available to handle a new session from another client.

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh L. Duong whose telephone number is (703) 305-0295. The examiner can normally be reached on Monday through Friday, 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz sheikh can be reached on (703) 305-9649. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3718 for regular communications and (703) 305-3718 for After Final communications.

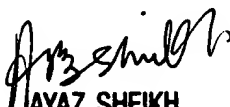
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

O.D

O.D

August 9, 2001

  
FAYAZ SHEIKH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100